



Department of Environmental Quality

811 SW SIXTH AVENUE, PORTLAND, OREGON 97204-1390 PHONE (503) 229-5696

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OREGON OPERATIONS OFFICE
EPA-REGION 10

Kirk Steinseifer
Area Operations Manager
Van Waters & Rogers, Inc.
3950 NW Yeon Avenue
Portland, OR 97210

January 10, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: HW-Multnomah County
McKesson Chemical
No. NWR-HW-90-4
NOTICE OF NONCOMPLIANCE

Dear Mr. Steinseifer:

This Notice of Noncompliance (Notice) is issued in accordance with OAR 340-12-041(1) for hazardous waste violations documented by the Department for the Van Waters & Rogers, formerly the McKesson Chemical Corporation, ("VWR"), facility located at 4488 NW Yeon Avenue, Portland, Oregon.

The violations discussed below were documented during the Department's December 14, 1989 inspection to determine VWR's compliance status with the Department's hazardous waste regulations for Treatment, Storage, and Disposal Facilities ("TSDFs"). This VWR facility is considered by the Department as well as by the US Environmental Protection Agency as an active Storage Facility of hazardous wastes ("HW"). An inspection report is being completed, and a copy will become available for your records when completed.

The following is discussion summarizing each violation:

VIOLATION NO. 1

VWR failed to submit a closure plan and present a date when closure is expected to begin, reference 40 CFR § 265.112(d)(1-2). These regulations stipulate that an owner or operator of a hazardous waste management unit must submit the closure plan at least 45 days prior to the date on which he expects to begin closure. The date when he "expects to begin closure" must be either within 30 days after the date on which any hazardous waste management unit receives the known final volume of hazardous wastes or, if there is a reasonable possibility that the hazardous waste management unit will receive additional hazardous wastes, no

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later than one year after the date on which the unit received the most recent volume of hazardous waste.

The date that the last known volume of waste was managed by VWR was November 17, 1986. Sufficient time has elapsed well beyond the one year from this date in which VWR could have notified of intended closure.

VIOLATION NO. 2

VWR failed to update the list of emergency coordinators in the contingency plan, reference 40 CFR § 265.54(d). The contingency plan must be reviewed, and immediately amended, if necessary, whenever the list or emergency coordinators changes.

During the inspection, it was noted that a list of emergency coordinators was posted on the door at the office at the VWR site. However, the contingency plan reviewed on site had not been updated and emergency coordinators listed were identified as not having any current affiliation with the site.

VIOLATION NO. 3

VWR failed to update the list of all emergency equipment at the facility, reference 40 CFR § 265.54(e). The contingency plan must be reviewed, and immediately amended, if necessary, whenever the list of emergency equipment changes.

During the inspection it was noted that much of the equipment identified in the contingency plan had been removed.

During the inspection it appeared that the site has been inactive for several years. VWR personnel acknowledged that it was not their intention to use the site as a TSDF Storage Facility in the future.

VWR has two options with which to address this Notice; either perform corrective action to address the above noted violations, and any future acknowledged deficiencies, or, initiate formal closure. Should the latter option become the preferred choice, then VWR will need to submit a formal Closure Plan for Department review and approval prior to any closure activities. Public notice, and Department review time schedules will follow 40 CFR § 265.112(d)(4).

The Closure Plan, in addition to other 40 CFR § 265.112 requirements, will need to address a means of demonstrating that

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no contamination remains on site, for all Solid Waste Management Units (SMUs). The Plan will need to address financial assurance for closure.

You are to immediately begin corrective action to address identified violations, or, prepare and submit a Closure Plan. Written explanation outlining your choice of action is requested to be received by the Department within two(2) weeks of receipt of this Notice. Written verification that either of the two options described above are completed is required within sixty(60) days of receipt of this Notice.

As the Department's inspection report is completed and as action is taken on the above violations, additional violations may be revealed which may warrant further enforcement action, including the assessment of civil penalties. The Department will notify you in a subsequent Notice should additional violations be acknowledged and need to be addressed.

Should you have any questions, you may call me at 229-5296.

Sincerely,



Don L. Peters
Sr. Environmental Analyst
Northwest Region

~~Enclosures~~

cc: Tom Cusack-Hazardous Waste Section
Enforcement Section
George Sylvester-VWR
Alan Goodman-EPA Oregon Operations